



NEVADA COUNTY SANITATION DISTRICT NO. 1

950 MAIDU AVENUE, SUITE 290, NEVADA CITY, CA 95959-8617
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Steven L. DeCamp
Deputy District Administrator

Mark Miller
Director of Sanitation

July 8, 2009

File: 300.1955 001
"Certified Mail"

Guy Childs
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

SUBJECT: Response to Tentative Cease and Desist Order, Nevada County Sanitation District No. 1, Penn Valley, Zone 6, Wastewater Treatment Facility

Dear Mr. Childs:

The Nevada County Sanitation District No. 1, Penn Valley, Zone 6, (NCSD1PV) has received the Tentative Cease and Desist Order (CDO) for the Penn Valley Wastewater Treatment Facility dated June 8, 2009, from the California Regional Water Quality Control Board - Central Valley Region (RWQCB) (copy enclosed). This letter and attachments are NCSD1PV response to the tentative CDO.

CDO Findings

Finding 8-

The third sentence in this finding states "Storm water was allowed to runoff and enter surface waters during this time."

NCSD1PV enclosed letter dated May 8, 2006, identifies that at no time did any of the runoff leave the site.

Also enclosed is a copy of the RWQCB Notice of Violation dated August 15, 2006, that identifies that the Discharger states that there was no runoff from the land application areas associated with the irrigation.

During the storm events NCSD1PV had the tail water return pumps activated and any runoff from the irrigation areas was carried in runoff return ditches to the tail water return pumps and returned to the irrigation reservoir.

Finding 9-

The next to the last sentence states "The Discharger indicated that there was no wastewater runoff from the land application areas associated with the irrigation." Why does the last sentence state "However storm water was not entirely contained during this period"?

Finding 16-

NCSD1PV should be able to meet the reduced approximate five year compliance schedule as proposed in Finding 16 of the CDO. This has been reduced from NCSD1PV seven year proposed schedule

Orders

Order No. 1-

NCSD1PV appreciates deletion of Discharge Specification B.15 of the existing WDRs Order No. 5-01-210 and as shown under Order No. 6 NCSD1 has until September 1, 2013 to complete the Facilities Improvement Design Report that needs to ensure compliance with the Total Coliform Organism Effluent Limitations of 23 MPN/100ml 30-Day Median and 240 MPN/100ml Daily Maximum in the WDRs.

Order No. 2-

This shows that the average monthly (June through September) dry weather inflow to the wastewater treatment plant should not exceed 0.60 million gallons per day. This should be corrected to be 0.06 million gallons per day. The annual inflow of 30.3 million gallons as shown is correct.

Order No. 4-

NCSD1PV had previously submitted the attached draft ordinance for your review and approval on October 30, 2006.

Order No. 6-

Finding 16 had mentioned an approximate five year compliance schedule from the date of adoption of this order. The compliance date shown of November 1, 2013, for completion of construction is only four years – two and a half months from the date of adoption. Given the difficult task of financing the project that includes the Proposition 218 requirements for increased sewer charges, reduced availability of grant funding, and the financial hardship of the Penn Valley service area, NCSD1PV requests a full five years (August 1, 2014) for completion of construction. As you identified under Finding 16 we had previously identified seven years in our the Penn Valley Wastewater Treatment Plant Improvement Project Facility Plan (Phase 1A).

Order No. 8-

In keeping with our request under Order No 6, NCSD1PV requests that the compliance date for submittal of the Facilities Improvement Construction Completion Report be extended out to September 1, 2014.

With the proposed changes to the Tentative CDO that NCSD1PV has made in this response, we will be able to comply with the CDO.

We appreciate your consideration of our proposed changes.

If you have any questions, please feel free to contact me at (530) 265-7103.

Sincerely,

Sincerely,

MARK MILLER
Nevada County Sanitation District No. 1

A handwritten signature in cursive script that reads "Gordon Plantenga".

Gordon Plantenga
Wastewater Operations Manager

GP:ms

Enclosures

cc: Nevada County Sanitation District No. 1 Board of Directors
Sanitation District Advisory Committee
District Administrator, Richard Haffey
County Counsel, Attention: Rob Shulman
Kennedy/Jenks, Attention: Ken Shuey



Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114

Phone (916) 464-3291 • FAX (916) 464-4645

<http://www.waterboards.ca.gov/centralvalley>



Arnold
Schwarzenegger
Governor

8 June 2009

RECEIVED
RE JUN 10 2009
JUN 10 2009
CDA/DPW/DQS
CDA/DPW/DQS

Mark Miller
Nevada County Sanitation District No. 1
950 Maidu Avenue
Nevada City, California 95959-8600

CERTIFIED MAIL
7008 1140 0002 8806 0494

TENTATIVE CEASE AND DESIST ORDER, PENN VALLEY WASTEWATER TREATMENT FACILITY, NEVADA COUNTY

To address capacity issues and disinfection requirements at the Penn Valley Wastewater Treatment Facility, Central Valley Water Board staff has prepared a tentative Cease and Desist Order (CDO) for consideration by the Board. The Order sets forth an enforceable scope and schedule for the completion of tasks to address violations of Waste Discharge Requirements Order No. 5-01-210.

In general, the schedule to complete the tasks as required by the tentative CDO reflects the schedule presented as Figure 7 in the report titled *Penn Valley Wastewater Treatment Plant Improvement Project Facility Plan (Phase 1A)*. However, because Board staff believes that the proposed two-year schedule to secure project funding can overlap with some of the other scheduled tasks, the overall schedule to complete the task required by the CDO has been reduced to approximately five years.

Any comments or recommendations you may have concerning the enclosed draft order should be submitted to this office by **8 July 2009** in order for us to give them full consideration prior to the **13/14 August 2009** meeting of the Central Valley Water Board.

In order to conserve resources, paper copies of the referenced document may not accompany this letter. Interested parties may obtain the document from the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/index.shtml. Copies of this document can also be obtained by contacting the Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114, weekdays between 8:00 a.m. and 5:00 p.m.

California Environmental Protection Agency



Recycled Paper

If you have any questions or wish to meet to discuss the tentative Order, please call Guy Childs at (916) 464-4648.



STEVE E. ROSENBAUM
Senior Engineering Geologist
Compliance and Enforcement
Title 27 and Non 15 Programs

Enclosures: Tentative Cease and Desist Order

cc w/o enc: Kurtis Zumwalt, Nevada County Environmental Health Department, Nevada City
Gordon Plantenga, Nevada County Sanitation District, Nevada City
Ken Shuey, Kennedy Jenks Consultants, Chico
Rob Fingerson, Holdrege and Kull Consulting, Nevada City

gjc/ser:

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER

CEASE AND DESIST ORDER
REQUIRING
NEVADA COUNTY SANITATION DISTRICT NO. 1
PENN VALLEY WASTEWATER TREATMENT FACILITY
NEVADA COUNTY

TO CEASE AND DESIST
FROM DISCHARGING CONTRARY TO REQUIREMENTS

The Regional Water Quality Control Board, Central Valley Region, hereafter Central Valley Water Board, finds that:

1. Nevada County Sanitation District (hereafter Discharger) owns and operates the Penn Valley Wastewater Treatment Facility (WWTF).
2. The WWTF is regulated by Waste Discharge Requirements (WDRs) Order 5-01-210, adopted by the Central Valley Water Board on 6 September 2001. This Order included requirements for the submittal of certain reports pertaining to wastewater treatment and control measures, wastewater disinfection, and groundwater monitoring.
3. The WWTF is located approximately one mile from the town of Penn Valley in Sections 4 and 9, T15N, R7E, MDB&M.
4. The purpose of this Cease and Desist Order (CDO) is to address capacity problems at the WWTF which are related in part to high groundwater levels within the disposal areas, inflow and infiltration from leaking sewer laterals from homes, and from the collection and retention of storm water runoff from the disposal areas. In addition, the CDO addresses the need to disinfect effluent because of the lack of storage capacity and the inability to manage storm water to prevent runoff during the irrigation periods.

Wastewater Treatment Facility

5. The WWTF currently serves 458 Equivalent Dwelling Units (EDUs) in the town of Penn Valley and surrounding areas and consists of a septic tank effluent pump (STEP) system. Of these EDUs, 347 are active connections and 111 are standby connections. Standby connections are those sewer connections for which the property owners pay annual fees to the District for the ability to connect at any time. Each residence and business has an individual septic tank equipped with a small pump. The septic tanks provide the primary treatment. The wastewater from each tank is pumped into a pressurized sewer system to a lift station. From the lift station, the influent is pumped to the Wastewater Treatment Plant (WWTP).
6. The WWTP consists of two lined aerated lagoons, which may be operated in series or in parallel. Effluent from the aerated lagoons travels via gravity to a storage reservoir. The reservoir effluent is used for onsite spray irrigation on approximately 33 acres of pasture

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land used for the cattle grazing. There is no disinfection of wastewater prior to being applied to the pasture area.

7. The WDRs prescribe requirements for the treatment and disposal of a monthly average dry weather flow not to exceed 89,700 gallons per day (gpd).

Violations of Waste Discharge Requirements

8. The Discharger violated its WDRs in the spring of 2006 by applying wastewater to land application areas during storm events. This was done to prevent overtopping of the storage reservoir. Storm water was allowed to runoff and enter surface waters during this time. These violations are discussed below.
9. Discharge Specification B.9 of the WDRs states: *"All tailwater shall be collected and returned to the storage reservoir when wastewater is being applied to the irrigation area. Wastewater application shall cease 48 hours prior to an anticipated storm event and shall resume 48 hours after a storm event. Wastewater application may resume at any time when weather conditions permit and full tailwater control is in effect."* In letters dated 8 March and 10 May 2006, the Discharger indicated that due to excessive rainfall beginning in January 2006 that they were not able to apply wastewater to the land application areas and therefore could not reduce the level in the storage reservoir. In addition, the Discharger stated that the STEP systems serve homes that are in an area with high groundwater levels. Leaking sewer laterals from these homes contributed to the high winter flows. Because of the lack of capacity in the storage reservoir and the probability of overtopping the reservoir, the Discharger applied wastewater to the land application areas during periods of rainfall on 16 days between 8 March and 2 May 2006, in violation of Discharge Specification B.9. The Discharger indicated that there was no wastewater runoff from the land application areas associated with the irrigation. However, storm water was not entirely contained during this period.
10. Discharge Specification B.23 of the WDRs states: *"The aerated lagoons and storage reservoir freeboard shall never be less than two feet (measured vertically to the lowest point of overflow)." Between 8 March and 2 May 2006, the freeboard in the storage reservoir was less than two feet on each day that it was measured over a 50-day period, in violation of Discharge Specification B.23. Monthly average flows during this period ranged from 62,000 to 120,000 gallons per day (gpd). Peak average wastewater flows ranged from 81,000 to 234,000 gpd. The highest monthly flow was reported in April 2006.*
11. On 15 August 2006, a Notice of Violation (NOV) was issued to the Discharger for the violations described in Findings 9 and 10. The NOV required the Discharger to submit a water balance prepared by a California Registered Engineer to evaluate the wastewater treatment, storage and disposal capacity and the ability of the ponds to maintain two feet of freeboard on a month-by-month basis.
12. On 29 September 2006, the Discharger submitted a water balance using influent flow data from October 2005 through June 2006 to determine why the reservoir did not have enough

storage to maintain two-feet of freeboard during the 2005/2006 wet season. The Discharger indicated that the 2005/2006 wet season represented approximately a 1-in-10 year precipitation event and that to avoid overtopping of the storage reservoir that approximately 11.8 million gallons of wastewater was discharged to the land application areas between 8 March and 2 May 2006. In summary, the Discharger's water balances indicated a lack of storage capacity for both 1-in-10 year and 1-in-100 year precipitation conditions assuming an inflow and infiltration pattern similar to the 2005/2006 water year.

13. To further access the wastewater capacity issues that were identified in the September 2006 water balance, the Discharger submitted revised water balances on 30 March 2009 using 2005 through 2008 influent flow data. In summary, the water balances show that the WWTF has adequate storage capacity for an average dry weather flow (June through September) of 59,970 to 64,643 gpd. However, at the currently permitted average dry weather flow (ADWF) of 89,700 gpd, there is inadequate storage capacity. The water balance is based on 100 year annual precipitation data, and a maximum reservoir storage volume of 14.2 million gallons with two feet of freeboard, a beginning storage volume in October of each years of 0.1 million gallons or less, and applying wastewater to approximately 33 acres of pasture land.

Proposed Capacity Improvements

14. On 19 March 2008, the Discharger submitted a report titled *Penn Valley Wastewater Treatment Plant Improvement Project Facility Plan (Phase 1A)*. The report provides alternatives that were evaluated to address capacity issues at the facility and meet the requirements in the WDRs. Those alternatives include: (a) increasing the storage capacity by reshaping the reservoir and re-grading the existing slopes using a 3:1 side slope, (b) installing subsurface drip irrigation on a portion of the existing spray application areas to allow for year round wastewater discharge, (c) installing subsurface drip irrigation on other lands near the facility, and (d) making improvements to the existing spray irrigation system.
15. Of the alternatives described in the above Finding, the Discharger proposes to use approximately 5.5 acres of the existing spray application area for subsurface drip disposal in order to accommodate wastewater flows for up to 458 EDUs. Because of the thin soil profiles overlying the bedrock, the Discharger plans to install the subsurface drip irrigation system in trenches at depths ranging from four to six inches below grade following removal of any existing vegetation. Following installation of the subsurface drip disposal tubing, imported fill material consisting predominately of granular soils would then be placed as necessary to provide a minimum soil cover of approximately eight inches thick. Finally, the disposal areas would be re-vegetated with a suitable pasture seed mix.
16. The schedule provided in the *Phase 1A* report to complete the proposed improvements spans a seven-year period. However, Water Board staff believes that the proposed two-year schedule to complete the task to secure project funding can overlap with some of the other tasks. This Order requires that the facility improvements be completed in approximately five years from the date of adoption of this Order, and be documented by the Discharger in a *Facilities Improvement Construction Completion Report*.

Wastewater Disinfection Requirements

17. The WDRs included requirements pertaining to the disinfection of the effluent from the storage reservoir prior to irrigation. A discussion regarding those requirements and reasons for disinfection are presented below.
18. Provision E.1.b of the WDRs Order 5-01-210 states: *The Discharger shall: "Submit by **1 January 2002** a work plan, which outlines the method by which the Discharger will disinfect the wastewater effluent or irrigation application area to achieve the effluent limits on total coliform of 23 MPN/100 ml monthly median and 240 MPN/100 ml daily maximum or demonstrate that the proposed disinfection method(s) will protect human health and water quality protection in the event of storm water run off. The disinfection work plan shall include the disinfection schemes during the dry and wet seasons and implementation schedule. This plan shall be reviewed and approved by DHS. The approved disinfection alternative(s) shall be implemented by **15 March 2003.**"*
19. Provision E.1.c of the WDRs Order 5-01-210 states: *"If it is the Discharger's intention to continue to graze cattle in the irrigation area, then a Title 22 Engineering Report shall be submitted to DHS and the Board for review and approval by **1 August 2002**. Cattle may be grazed until this compliance date. If the report is not submitted and approved by **1 January 2003**, then in accordance with Title 22 the Discharger will be prohibited from grazing cattle in the irrigation disposal area."*
20. Following a meeting in October 2001 with Central Valley Water Board staff and the Department of Public Health Services (DPHS) to discuss disinfection alternatives, the Discharger concluded in its 17 December 2001 letter that the treatment facility had been operated for eleven years with no apparent adverse human pathogen affects to downstream properties because there was no runoff of wastewater from the pasture areas. Based on this, the Discharger proposed a study to assess whether vegetated buffer strips below the irrigated pastures could remove or reduce bacterial indicators and possibly reduce other microbes from pasture runoff during winter rainfall. In a 1 February 2002 response, Central Valley Water Board staff stated that the letter did not include a disinfection work plan as required by the WDRs. In addition, Board staff indicated that they were not in the position to approve or reject any additional studies that the Discharger performs, however, to ensure compliance with the WDRs, a disinfection work plan as required by Provision E.1.b needed to be submitted.
21. On 23 April 2002, the Discharger submitted a letter stating that disinfection may not be required because of the following reasons:
 - a. The land application areas have complete tailwater controls with the wastewater returned to the WWTP, and therefore, no wastewater reaches the watershed from this treatment facility.

- b. All stormwater that falls during the irrigation season along with any excess treated wastewater is returned to the storage reservoir.
 - c. The storage reservoir has adequate storage so that the land application areas are not irrigated during the wet season.
 - d. Recycled wastewater used for surface irrigation of fodder and fiber crops and pasture for animals not producing milk for human consumption is allowed under Title 22.
22. On 3 September 2002, the DPHS accepted a 1 August 2002 Title 22 Engineering Report with the understanding that the treated secondary recycled water would be used to irrigate pasture for beef grazing with restricted access of the site. In addition, the Department of Public Health Services stated that (a) no milk producing cows used for human consumption would be grazed at the site, (b) irrigation would only occur during the dry summer months and if rain storms were in the forecast that irrigation was not allowed, and (c) if rain storms occur during the irrigation season that all storm water would be pumped to the storage reservoir.
23. Based on information provided in the Discharger's 23 April 2002 letter, and a 3 September 2002 letter from DPHS approving the Title 22 Engineering Report as described above, the Central Valley Water Board did not followup on the disinfection requirement. However, the conditions stated in the 23 April 2002 letter from the Discharger (see Finding 21) do not reflect current site conditions. In particular, conditions in the spring of 2006 demonstrated that the WWTF was unable to contain all of its storm water because of the lack of storage capacity. In addition, staff considers that disinfection is necessary because the thin soil profiles overlying the bedrock at the proposed subsurface disposal areas offer little opportunity for retention and deactivation of pathogens during infiltration. Soils may also become saturated during the wet months, resulting in the potential for migration of inadequately treated wastewater into usable surface waters or groundwater. This Order provides the Discharger with a schedule to install and operate an appropriate wastewater disinfection system to ensure compliance with the Total Coliform Organisms Effluent Limitations in the WDRs. However, this Order also provides an option for the Discharger to demonstrate that disinfection is not necessary to protect water quality and beneficial uses. The Discharger's technical report, if approved, would be the basis for amending WDRs to revise the disinfection requirement.

Regulatory Considerations

24. As a result of the events and activities described in this Order, the Central Valley Water Board finds that the Discharger has discharged, and has the potential to discharge, waste in violation of WDRs 5-01-210.
25. Surface water drainage from the facility is to Tarr Ditch, a tributary to Little Dry Creek, thence the Bear River. The beneficial uses of the Bear River, as stated in the Basin Plan, are municipal and domestic supply; agricultural supply; power generation; water contact

recreation; noncontact water recreation; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction and/or early development of warm and cold freshwater aquatic organisms; and wildlife habitat.

26. The beneficial uses of underlying groundwater, as stated in the Basin Plan, are municipal and domestic water supply, agricultural supply, industrial service supply, and industrial process supply.
27. CWC section 13301 states, in part: *"When a regional board finds that a discharge of waste is taking place or threatening to take place in violation of the requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action."*
28. CWC section 13267(b) (1) states: *"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."*
29. The required technical reports are necessary to assure compliance with WDRs Order 5-01-210 and this Order, and to assure protection of public health and safety. The Discharger owns and operates the facility that discharges the waste subject to this Order.
30. The issuance of this Order is for an enforcement action by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act (CEQA) (Pub. Resources Code, section 21000 et seq.), pursuant to California Code of Regulations, title 14, section 15321(a)(2). The implementation of this Order is also an action to assure the restoration of the environment and is exempt from the provisions of the CEQA in accordance with California Code of Regulations, title 14 sections 15307 and 15308. The issuance of this Order is for an existing facility and authorizes negligible or no expansion of use, and is also exempt from provisions of CEQA, pursuant to California Code of Regulations, title 14, section 15301.
31. On _____, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider a Cease and Desist Order.

CEASE AND DESIST ORDER NO.
NEVADA COUNT SANITATION DISTRICT NO. 1
PENN VALLEY WASTEWATER TREATMENT FACILITY
NEVADA COUNTY

32. Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request

IT IS HEREBY ORDERED that pursuant to Sections 13301 and 13267 of the California Water Code, Nevada County Sanitation District No. 1, its agents successors, and assigns, shall implement the following measures necessary to ensure long-term compliance with WDRs 5-01-210, or any superceding permits or orders issued by the Central Valley Water Board.

Any person signing a document submitted under this Order shall make the following certification:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

1. The Discharger shall comply with all aspects of WDRs Order 5-01-210, except for Discharge Specification B.15, which states: "*Recycled water applied to the irrigation area shall be disinfected to protect human health and surface waters from the release of storm water from the irrigation area. The Disinfection method shall be reviewed and approved by DHS and the Executive Officer. Provision E.1.b outlines a compliance schedule for the implementation of the disinfection method(s).*"
2. Effective immediately, the average monthly (June through September) dry weather inflow to the wastewater treatment plant shall not exceed 0.60 million gallons per day, and the annual inflow measured from October through September of each year shall not exceed 30.3 million gallons. This flow limit may be increased incrementally by the Executive Officer upon the submittal and approval of a technical report showing the improvements completed to increase storage and disposal capacity. The report shall contain a water balance supporting the requested flow increase. By **1 October** of each year, the storage reservoir capacity shall be at least equal the volume necessary to comply with the annual inflow.
3. By **1 October 2009**, the Discharger shall submit and implement a *Spill Contingency Plan* containing interim measures necessary for preventing unauthorized discharges of wastewater to surface waters and surface water drainage courses. The Plan shall remain in effect until all improvements to the WWTF are completed. The plan at a minimum shall

consider options including, but not limited to: operational adjustments to draw down reservoir levels, sandbagging the reservoir berms, enhanced evaporation, water conservation measures, trucking of effluent to another properly permitted facility, or any other short-term measures to prevent discharges to surface waters. The plan must identify the selected alternatives, and for each alternative, specify all necessary materials, staffing, and equipment required for implementation.

4. By **1 November 2009**, the Discharger shall enact an ordinance to require maintenance and pressure testing of the private laterals connected to the wastewater system. This ordinance is to reduce inflow and infiltration into the collection system.
5. By **1 February 2010**, the Discharger shall submit a *Revenue Plan* that describes the costs associated with implementation of all tasks in this Order. The plan must show whether the Discharger has necessary funds to implement all tasks. Should the Revenue Plan show that there are inadequate funds, the Discharger must include an implementation schedule that shows how the Discharger will raise the necessary funds.
6. By **1 September 2011**, the Discharger shall submit a complete *Facilities Improvement Design Report* describing all modifications that will be completed to the Penn Valley WWTF to ensure compliance with WDRs 5-01-210. The report shall include a design for an appropriate wastewater disinfection system to ensure compliance with the Total Coliform Organisms Effluent Limitations in the WDRs. If the Discharger considers disinfection unnecessary to protect water quality and designated beneficial uses, then the Discharger shall provide scientific justification in its technical report to explain why disinfection requirement should be revised. The justification must be based on site-specific conditions and be sufficiently detailed to support revision of the disinfection requirements in the facility's WDRs. The report shall contain a time schedule for all of the improvements that shall not extend beyond **1 November 2013**.
7. **Within 60 days** of Board staff's written approval of the *Facilities Improvement Design Report*, the Discharger shall submit a Report of Waste Discharge (RWD) to allow for revised WDRs to reflect the improvements to the Penn Valley Wastewater Treatment Facility.
8. By **1 December 2013** the Discharger shall submit a *Facilities Improvement Construction Completion Report*. The report must certify that all construction and necessary modifications have been made to the Penn Valley WWTF.
9. **Beginning 1 November 2009**, and by the first day of the second month following each calendar quarter (i.e., by **1 February, 1 May, 1 August, and 1 November each year**), the Discharger shall submit a progress report describing the work completed to date regarding each of the reporting requirements described above.

In addition to the above, the Discharger shall comply with all applicable provisions of the California Water Code that are not specifically referred to in this Order.

CEASE AND DESIST ORDER NO.
NEVADA COUNT SANITATION DISTRICT NO. 1
PENN VALLEY WASTEWATER TREATMENT FACILITY
NEVADA COUNTY

All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, Sections 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

Failure to comply with this Order may result in the assessment of an Administrative Civil Liability up to \$1,000 or up to \$10,000 per day of violation, depending on the violation, pursuant to the California Water Code, including Sections 13268, 13350, and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on _____.

PAMELA C. CREEDON, Executive Officer

NEVADA COUNTY SANITATION DISTRICT NO. 1

950 Maidu Avenue, Nevada City, California 95959-8600

Tel: (530) 265-1411 Fax: (530) 265-9849

FILE

File: 300.1955 001.1

May 8, 2006

Guy Childs
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

**SUBJECT: Storm Problems at Nevada County Sanitation District No. 1, Penn Valley
Wastewater Treatment Plant (RWQCB WDR Order No. 5-01-210)**

Dear Mr. Childs:

On March 9, 2006, I sent a letter to your office explaining that the reservoir at the Penn Valley Wastewater Treatment Plant (WWTP) was nearing the full mark due to heavy rain. The letter stated that we had two options, 1) we could allow the reservoir to overflow, 2) or begin irrigation of the pastures. The permit requires us not to irrigate before a rain or when it is raining. In order to prevent overflowing going into the stream and eventually into the NID irrigation ditch, we began to irrigate. During this time, it was our desire to prevent any runoff from the field or overflow from the reservoir leaving our site. At no time did any runoff leave the site, and the reservoir did not overflow.

I have enclosed copies of our emails about the problem, the March 9, letter, a final copy of the excel spreadsheet showing the return to safe levels on Wednesday, May 3, 2006, and return to normal operation of the irrigation systems. The irrigation is secured today to allow the field to dry out for mowing later this week. We submitted a letter to you on March 31, 2006, that was our response to your comments letter of January 20, 2006, on the Best Practicable Treatment and Control (BPTC) Work Plan for Penn Valley for you review and comments. Once you are satisfied with the BPTC we can begin its implementation.

If you have any questions, please contact me at (530) 265-7121.

Sincerely,

MICHAEL P. HILL-WELD, Director of the Department of Transportation and Sanitation



Donald J. Corbett
Treatment Plant Operations Supervisor

DJC:ms
Enclosures

Date March 2006		Rain Inches		Gallons to field		EST of runoff any		NOTES		freeboard Gal to fill Plant Inf	
Start Pumps 3/8/06 1000hr		2.08						Return pumps off			
Thurs 3/9/06		snow&rain0.23		0.3545		none		Return pumps off	0.6 ft	0.7MG	
Friday 3/10/06		snow/rain0.05		0.3194		none			0.8 ft	0.8 Mg	
Saturday3/11/06		Rain 0.1		0.2624MG		none		Return PumpsOn 1400Hr	1.0 ft	1.2MG	
Sunday3/12/06		Snowrain0.8		0.3212MG		none		lost freeboard due to snow&rain	1.08ft	1.4MG	
Monday3/13/06		rain0.17		.0204MG		none		Irrigation secured Sun overnight	1.16ft	1.3MG	
Tuesday3/14/06		heavy snow0.6		.3341MG		none		Irrigation Back in service 0900AM	1.08ft	1.3MG	
Wednesday3/15/06		rain0.20		0		none		irrigation off	1.10ft	1.4MG	
Thursday3/16/06		rain0.03		0		none		Did not irrigate	1.08ft	1.3MG	
Friday3/17/06		rain0.86		0		none		Did not irrigate	1.00ft	1.2MG	
Saturday3/18/06		rain 0.04		0		none		did not irrigate	0.83ft	1.0MG	
Sunday3/19/06		0		started irrigation		none		started about 12:00	0.83ft	1.0MG	
Monday3/20/06		0		0.3104		none		irrigating	0.83ft	1.0MG	
Tues3/21/06		0		0.1194		none		irrigating	0.92ft	1.1MG	
Wednesday3/22/06		0.05		0.046		none		pumps secured due to Lt.snow	0.92ft	1.1MG	
Thursday 3/23/06		0		0		none		and Rain	0.66	0.7MG	
Friday3/24/06		0		0.2708MG		none		Irrigating	0.66ft	0.7MG	
Saturday3/25/06		0		0.4944MG		none		Irrigating	0.83ft	1.0MG	
Sunday3/26/06		**		0		none			1.25ft	1.3MG	
Monday3/27/06		**2.23 total		0		none		Pumps secured due to predicted			0.1418MG
Tuesday3/28/06		0.35		0		none		rain Sat & Sun			0.1418MG
Wednesday3/29/06		0		0		none			0.50ft	0.6MG	
Thursday3/30/06		0		0		none		Started irrigation	0.60ft	0.8MG	
Friday3/31/06		0.57		.469MG		none		irrigating	0.60ft	0.8MG	
Saturday4/1/06		1.1in		.4795MG		none		irrigating	0.60ft	0.8MG	
Sunday4/2/06		0		0.148MG		none		irrigating	1.0ft	0.7MG	
Monday4/3/06		1.43in		0		none		Not irrigating	0.55	0.6MG	
Tuesday4/4/06		1.2n		0		none		Not irrigating heavy rain	0.50ft	0.6MG	
Wednesday4/5/06		0.95in		0		none		Not irrigating heavy rain	0.42ft	0.5MG	
Thursday4/6/06		0.03in		0		none		2in under weir	0.16ft	0.15MG	
Friday4/7/06		.55in		0.456MG		none		4in below weir	0.0ft	0.0MG	
Saturday4/8/06		0		0.475MG		none		6in below weir	0.0ft	0.0MG	
Sunday4/9/06		.55in		0.512MG		none			0.08ft	0.08MG	
Monday4/10/06		0.25in		0.499MG		none			0.33ft	0.3MG	
Tuesday4/11/06		0.38in		0.503MG		none		Lt rain	0.45ft	0.5MG	
Wednesday4/12/06		.72in		0.5122MG		none		Lt rain	0.66ft	0.8MG	
Thursday4/13/06		0		0.4557MG		none		heavy rain for short time	0.83ft	0.9MG	
Friday 4/14/06		0		0.5037MG		none		no rain	0.87ft	0.9MG	
Saturday 4/15/06				0		none		no rain	1.1ft	1.1MG	
Sunday 4/16/06				0		none		Spraying in pasture for weeds	1.16ft	1.9MG	
Monday 4/17/06		1.92		0		none		Spraying in pasture for weeds			0.1075MG
Tuesday4/18/06				0		none		Spraying in pasture for weeds			0.1075MG
Wednesday 4/19/06				0		none		no rain			0.1075MG
Thursday4/20/06				0.494MG		none		no rain	1.92ft	2.3MG	
Friday4/21/06				0.494MG		none		no rain	1.8ft	2.1MG	
						none					0.125MG
						none					0.125MG
						none					0.0875MG

Saturday4/22/06	0.494Mg	none	Spraying in pasture for weeds		0.0875Mg
Sunday4/23/06	0	none	Spraying in pasture for weeds		0.0875Mg
Monday4/24/06	0	none	Spraying in pasture for weeds		0.0875Mg
Tuesday4/25/06	0	none	Irrigating	1.5ft	0.0766Mg
Wednesday4/26/06	0.500Mg	none	Irrigating	1.5ft	0.0736Mg
Thursday4/27/06	0.2987Mg	none	Irrigating	1.92ft	0.0690Mg
Friday4/28/06	0.2987Mg	none	Irrigating	2.3Mg	0.07010Mg
Saturday4/29/06	0.2724Mg	none	Irrigating		0.07010Mg
Sunday4/30/06	0.2734Mg	none	Irrigating		0.07010Mg
Monday5/1/06	0.2734Mg	none	Working in pasture		0.07010Mg
Tuesday5/2/06	0	none	Working in pasture	2.42ft	0.06790Mg
Wednesday5/3/06	0	none		2.8Mg	
We have reached the 2.0 ft freeboard requirement					

COUNTY OF NEVADA

NEVADA COUNTY

SANITATION DISTRICT NO. 1

950 Maidu Avenue, Nevada City, California 95959-8600

Tel: (530) 265-1411 Fax: (530) 265-9849

March 9, 2006

File: 300.1955 001.1

Guy Childs
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

**SUBJECT: March 9, 2006 Discharge Violation for Nevada County Sanitation District No. 1
Penn Valley Wastewater Treatment Plant (RWQCB WDR Order No. 5-01-210)**

Dear Mr. Childs:

Due to the amount of rain and the close relationship of the storms since the first of the year we have not been able to irrigate the pasture lands at Penn Valley WWTP. As a result of trying to comply with the requirements of not irrigating before a storm and immediately after to limit runoff there has been no opportunity to lower the reservoir. At this time the reservoir is nearly full and we have two choices to deal with this condition. The first is to let it overflow through the spillway. This will quickly flow to a nearby stream (NID irrigation Ditch) with the full flow that overtops the reservoir. The second choice is to start up the pasture Irrigation and allow as much as possible to be absorbed into the ground with the remainder going to the same stream. This will lessen the amount that leaves the site. We have had to do this only one time before and the result was a reduction in the amount that leaves the site. The forecast is for 5 more days of rain and with the amount we have had I expect that the Influent flow to the plant will not go down from the 170,000 GPD we are now seeing until several days after the storm passes. As Penn Valley is a SEPT (pressure) system in an area with high groundwater the reason for the higher flows is believed to be leaking laterals from the homes that are maintained by the homeowners and are not part of the Sanitation District maintained lines or equipment. We do maintain the pump tanks (Septic Tanks) pumps and all piping from the pump to the plant. As the line pressure is as high as 85psi there isn't a problem with I & I after the waste is pumped to the plant from the home tank. The district plans to enact an ordinance to require pressure testing of laterals on change of ownership of the property or every 8 years this is similar to ones in place in the Lake Tahoe basin area.

We will record Hour meter readings on the irrigation pumps X rated gpm for the daily flow to the fields and record the reservoir levels daily until they return to normal levels. I will also record the time we start and stop irrigation will record daily status via Email and do a summary at the end to be reported to your office

If you have any Questions, please contact me at (530) 265-7121.

Donald Corbett - Penn Valley WWTP

From: Donald Corbett
To: Childs, Guy
Date: 3/10/2006 4:41 PM
Subject: Penn Valley WWTP
CC: LOP Treatment; Plantenga, Gordon

The excel sheet spill 3-06 has info on time, date, volume to field, and run off **IF Any** none at this time. There are three pictures **005** shows the reservoir it is 6in below the spill way when taken 230pm. The two pipes above the spillway are for emergency overflow. **004** shows the creek below the spray field there is a runoff ditch leading to the return pumps between the sprays and the creek. Although we have had rain and snow today it has been windy and in the high 40s at the site. The rain fall has been only 0.05in and as of 3:30 pm today no water is leaving the field. The return pumps are on but there is no flow in the ditch to them. See **006** this picture shows how fast it has dried. We plan to continue to irrigate until we have 3 feet of free board. I will forward the weekend information to you Monday .I called OES and talked to Scott and he stated that until we see water leaving the site we did not need to call him we will call them if there is any flow off site.Don.C.

Donald Corbett - Penn Valley Status

From: Donald Corbett
To: Childs, Guy
Date: 3/17/2006 11:04 AM
Subject: Penn Valley Status

The irrigation has been off for several days as shown on the att sheet. We do plan to restart it on Saturday wether permitting . We had a heavy snow fall on Tuesday the 14th that resulted in all support staff being sent home due to school closings and many support staff could not even get to work due to road conditions as we saw 24 to 36 inches of snow in some of our service areas. The Waste Water on call and all plant staff were on duty with all of the on Call staff taking 4x4 vehicles to assure there ability to respond to problems. Don.C

Donald Corbett - Penn Valley Information

From: Donald Corbett
To: Childs, Guy
Date: 3/20/2006 10:18 AM
Subject: Penn Valley Information

We are irrigating at this time wether report is stating only intermittent light showers for our area we will secure irrigation if it becomes heavy. Had no problems over the weekend. Don.C

Donald Corbett - Penn Valley WWTP

From: Donald Corbett
To: Childs, Guy
Date: 3/20/2006 11:11 AM
Subject: Penn Valley WWTP

Guy per our talk about the Penn valley WWTP and the reservoir filling I verified that the Penn Valley WWTP BPTC Work plan WDR Order No 5-01-210 section E-1h by Eco-Logic Engineering dated June 2005 and the Penn Valley WWTP Expansion Feasibility Report Dated August 2005 By Eco-Logic have been submitted to your office. We have Contracted with holdrege and Kull Geologists to complete the well monitoring plan now that the 3rd and 4th quarter test data is in a final copy will be forwarded to your office within a few weeks. Your comments have been received on the BPTC and we will have the answers to those comments to your office By April 2006. If there are any questions please let me know so I can include the information in our reply . Don.C

Donald Corbett - Penn Valley WWTP

From: Donald Corbett
To: Childs, Guy
Date: 3/27/2006 9:44 AM
Subject: Penn Valley WWTP

We did not irrigate over the weekend due to the rains on Saturday. There is rain predicated tonight (Monday) if we do not see too much rain we may be able to return to normal operation later this week with the freeboard 24 in or better. We have had no problems with any run off from the site.

Donald Corbett - Penn Valley Irrigation

From: Donald Corbett
To: Childs, Guy
Date: 3/30/2006 12:22 PM
Subject: Penn Valley Irrigation

the recent rain has taken up some much needed volume in the reservoir we are irrigating. The forecast is for rain for much of next week. I will keep you informed of changes. Don.C

Donald Corbett - Penn Valley WWTP Irrigation/reservoir status

From: Donald Corbett
To: Childs, Guy
Date: 4/3/2006 11:00 AM
Subject: Penn Valley WWTP Irrigation/reservoir status

We are having heavy rain showers this morning and are not irrigating at this time. If it appears that we will have a chance of going over the spillway we will start to irrigate to maximize the use of the water and Minimize the amount that might leave the site..The wether report shows showers Wednesday, Thursday & Friday. I have attached the results of the weekend .DonC

Donald Corbett - Penn Valley Status

From: Donald Corbett
To: Childs, Guy
Date: 4/7/2006 12:27 PM
Subject: Penn Valley Status

We are now Irrigating at the maximum rate and moving around the spray zones to prevent run off. We have not had any run off from our site. As noted on the Excel sheet we did come up to 2in from going over the spill way with this last storm but now have 6in freeboard at 10:00 today. With the showers predicted we will continue to irrigate over the weekend but will watch for run off and change the zone or secure irrigation if needed. Don.C

Donald Corbett - Penn Valley Update

From: Donald Corbett
To: Childs, Guy
Date: 4/11/2006 12:58 PM
Subject: Penn Valley Update

We are irrigating but may stop this afternoon if the rain continues to prevent any runoff . Don.C

NEVADA COUNTY SANITATION DISTRICT NO. 1

950 Maidu Avenue, Nevada City, California 95959-8600
Tel: (530) 265-1411 Fax: (530) 265-9849

October 30, 2006

File: 300.1955 001

Guy Childs
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6114

SUBJECT: Supplemental Response to Notice of Violation, Nevada County Sanitation District No. 1, Penn Valley, Zone 6, Wastewater Treatment Facility

Dear Mr. Childs:

This is a supplemental response to the Sanitation District letter sent on September 29, 2006, regarding the Notice of Violation (NOV) for the Penn Valley Wastewater Treatment Facility.

Enclosed is a draft ordinance establishing maintenance of private sanitary sewer facilities including a pressure-testing requirement for private sanitary facilities served by Sanitation District sewer systems for your review and approval.

If you have any questions, please feel free to contact me at (530) 265-7103.

Sincerely,

MICHAEL P. HILL-WELD, Director of the Department of Transportation and Sanitation


Gordon Plantenga
Wastewater Operations Manager

GP:ms

Enclosures

cc: Nevada County Sanitation District Board of Directors
Sanitation District Advisory Committee
County Counsel, Attention: Rob Shulman

ORDINANCE NO. SD-_____
OF THE BOARD OF DIRECTORS OF
NEVADA COUNTY SANITATION DISTRICT NO. 1

AN ORDINANCE ADDING SECTION 6.4 TO CHAPTER 6 OF THE
SANITATION DISTRICT CODE ESTABLISHING MAINTENANCE
OF EXISTING FACILITIES

THE BOARD OF DIRECTORS OF THE NEVADA COUNTY SANITATION
DISTRICT NO. 1 ORDAINS AS FOLLOWS:

SECTION I: PURPOSE AND INTENT OF ORDINANCE

In accordance with the provisions of State law (Health and Safety Code Section 4700, et seq.) and Chapter 6 of the Sanitation District Code, this Section is added to provide for proper operation and maintenance of the private sanitary sewer facilities that are connected to the District's sanitary sewer system. This is to insure that excessive groundwater and/or surface water (infiltration and/or inflow) are kept out of the District system.

SECTION II: .

Section 6.4. of the Sanitation District Code is hereby added to read as follows:

Sec. 6.4 Maintenance of Existing Facilities

Sec. 6.41 Maintenance and Testing of Private Sanitary Sewer Facilities

The owner or their agent of a property served by the District's sanitary sewer shall be responsible for the operation and maintenance of the private sanitary sewer facilities, including all devices or safeguards required by this section, which are located upon said property. The owner of their agent's operation and maintenance responsibility is from the building to the connection at the sanitary sewer easement or property line.

The owner or their agent shall, at their own risk and expense, install, keep and maintain in good repair all sanitary sewer facilities (sanitary sewer pipelines, force mains, manholes, equipment, pump stations, and related appurtenances) situated on the premises so served. The District shall not be responsible for any loss or damage caused by improper or defective installation of sanitary sewer facilities, whether inspected and/or approved by the District. All such installations of sanitary sewer facilities shall conform with all federal, state, county, town and local laws, rules, regulations and ordinances.

The owner or their agent served by the District's sanitary sewer system shall be responsible and liable for all costs involved in the repair of all damages caused by the owner, customer, or agents thereof, to the District's sanitary sewer facilities, including but not limited to sewer obstructions, wherever located.

All sanitary sewer facilities found in need of repair as a result of testing procedures required by this chapter shall be repaired and/or installed to the standards set forth in the District Code.

Sec. 6.42 Conditions Required Testing of Existing Sanitary Sewer Facilities

It shall be unlawful for any owner of a house, building, or property connected to the District's sanitary sewer system to maintain private sanitary sewer facilities in a condition such that the tests contained herein cannot be successfully accomplished.

All private sanitary sewer facilities, including those serving residential, multiple residential, commercial, and industrial connected to the District's sanitary sewer system shall be tested when any of the following conditions occur:

- (a) remodeling of the house, building or property served to an extent of more than 50 percent of the assessed valuation, as determined by Nevada County, or
- (b) installation of additional plumbing fixtures in the house, building or property served and/or installation of additional building lateral pipeline, or
- (c) change of use of the house, building or property serviced from residential to business or commercial, or from non restaurant commercial to restaurant commercial, or
- (d) repair or replacement of all or part of the building lateral(s), force main pipeline, or private lift station components, or
- (e) the addition of living quarters, such as guest cabins on the property served or conversion of garages into living quarters with plumbing fixtures, or addition of structures on the parcel that impact an existing building lateral or force main, or
- (f) prior to the close of escrow upon a sale of the house, building or property served, or
- (g) the transfer of ownership or interest in the parcel, the facility, or the business. (A transfer of ownership between immediate family members, shall not require testing), or

- (h) change in tenant of the facility or business, or
- (i) change of ownership (multiple owners) on the deed selling their portion to other partner/investors, or
- (j) an inspection by the District indicates reasonable cause, or
- (k) upon determination of the District Engineer that testing or sanitary sewer facility replacement is required for the protection of the public health, safety and welfare.

6.43 Testing Procedures for Existing Sanitary Sewer Facilities

The owner or their agent of a house, building, or property connected to the District's sanitary sewer system shall conduct all sanitary sewer facility upgrades and testing required at their sole expense and shall notify the District 48 hours prior to testing. Testing shall be witnessed by a District Inspector.

Sanitary Sewer Pipelines: All building laterals, joint laterals, and privately owned main pipelines shall be tested by either an air or water method, at the discretion of the District.

In the case of building and joint laterals, the test section shall be from the building cleanout to the District service connection point. The test section includes all private pipelines, including joint laterals, which provide sanitary sewer service to the parcel in question.

Privately owned main pipelines shall be tested their full length and testing shall be in accordance with one of the following:

- Air test consisting of plugging each end of the pipeline and applying a pressure of 3.5 pound per square inch to the section being tested. The pipeline shall be allowed a maximum loss in pressure of $\frac{1}{4}$ pound per square inch in 5 minutes. If the loss exceeds $\frac{1}{4}$ pound per square inch, the test may be attempted one additional time. A second loss of pressure constitutes a failure of the pipeline, whereupon the pipeline shall be replaced, as needed, and retested in accordance with this section.
- Water test consisting of plugging the downstream end of a pipeline, placing a section(s) of pipe in the vertical branch of the building cleanout and filling the test section with water. At least 8 vertical feet of water (measured from the highest point of the pipeline to the top of the water column on the upstream cleanout riser of the test section) shall be used for the test. In pipelines with minimal fall, cleanout risers may need to

be temporarily extended above ground to achieve the 8 vertical foot static water level. In no case shall the vertical distance measured from the lowest point of the pipeline test section to the water surface in the cleanout riser exceed 15 feet. Additional cleanouts may have to be installed in steep pipelines and the pipeline tested in sections.

- The pipeline shall be allowed a maximum loss of water level of 1 inch in 5 minutes for a 4-inch or 6-inch pipeline per 100 feet in length. If the loss exceeds the allowable, the pipeline may be retested one additional time. A second loss exceeding the allowable constitutes a failure of the pipeline, whereupon the pipeline shall be replaced, as needed, and tested in accordance with this section.

If a cleanout has not been installed at the easement/property line, a cleanout shall be installed prior to testing. If there is no cleanout located outside the building foundation (within five feet of the foundation wall), then a cleanout shall be installed. If the building lateral exits the foundation under an existing deck or concrete patio, the location of the building cleanout near the foundation may be modified on a case-by-case basis as determined by the District Engineer. The owner or their agent shall be responsible for such installation. A cleanout underneath the house is not acceptable.

Manholes, grease interceptors, sand/oil interceptors testing shall be in accordance with one of the following:

- Water test by plugging all inlet and outlet pipes and filling the test section with water to the top of the frame rim. The water should be introduced into the test section at least 4 hours in advance of the official test period to allow the concrete and joint material to become saturated. The test section shall then be refilled to the original water level.
- At the beginning of the test, the elevation of the water in the test section shall be carefully measured from a point on the frame rim. After a period of 4 hours, the water elevation shall be measured from the same point on the frame rim and the loss of water during the test period calculated. If this calculation is difficult, enough water shall be measured into the test section to restore the water to the level existing at the beginning of the test, and the amount added taken as the total leakage.
- The allowable leakage shall not exceed 0.13 gallons per hour. Manholes, grease interceptors, and sand/oil interceptors showing leakage in excess of that allowed

shall be repaired or reconstructed as necessary to reduce the leakage to that specified. All failures shall be retested after the necessary repairs have been completed.

- Vacuum test by using acceptable equipment approved by the District. Vacuum test equipment shall be user per the manufacturers specification. A vacuum of 10-inches mercury should be drawn on the manhole. The time, in seconds, for the vacuum to drop to 9-inches mercury shall be measured and shall not be less than the time listed below for various manholes and interceptors.

Time (sec)	Manhole Diameter (in.)	Interceptor Size (gal.)
60	48	
75	60	
90	72	
80		500 to 999
120		1,000 to 1,499
150		1,500 to 1,999
180		2,000 to 2,499

Note: Grease interceptors and sand/oil interceptors shall be completely drained and cleaned before initiation of the water or vacuum test.

Pump System Testing, Pump Station Outside The Building Foundation: The gravity portion of the pipeline from the building to the holding tank shall be tested in accordance with Section 6.43, Testing Procedures for Existing Sanitary Sewer Facilities, Sanitary Sewer Pipelines.

A visual inspection of the pump system will be performed to check for:

- soundness of the wastewater holding tank.
- proper venting of the holding tank.
- acceptable weather proof, insulated box with adequate waterproof insulation below the box lid directly above the holding tank.
- a weather tight seal on the holding tank lid and at all pipe or conduit penetrations.
- a properly functioning check valve on the discharge pipeline.

In the event that there is no check valve and/or pressure test port installed on the existing discharge pipeline, a check valve and a valve 1/4 -inch pressure test port shall be installed.

A pressure gage shall be connected to the test port and the pressure test port valve shall be opened. The pump shall be started and the holding tank pumped down to allow a visual inspection of the holding tank to check it for leaks. The check valve shall also be inspected for proper operation.

Immediately after the holding tank is pumped down and the pump turned off, the gage pressure shall be noted in the discharge pipeline. The pressure shall remain constant for 10 minutes. Any drop in pressure shall constitute a test failure and the check valve and/or the discharge pipeline shall be repaired and/or replaced.

After the check valve and/or the discharge pipeline is repaired and/or replaced, another test shall be attempted. A subsequent loss of pressure constitutes a failure of the check valve and/or discharge pipeline, whereupon the defective check valve and/or discharge pipeline section shall be replaced and tested as described above.

The alarm system, if so equipped, shall be checked for proper function of audio and visual alarms.

In the event that the holding tank or the force main needs replacement the pump and controls must be updated to meet District Code. In the event that the controls need replacement an alarm system must be installed.

Septic tanks and concrete vaults converted for use as holding tanks shall be air, water or vacuum tested. The test shall be the same as specified for sanitary sewer pipelines, manholes, and grease and sand/oil interceptors. If the converted septic tank/concrete vault fails the test, it shall be abandoned and a new holding tank meeting the requirements for residential pump systems shall be installed in its place.

Sec. 6.44 Time Limits for Completion of Testing Procedures

Testing shall be completed in a timely manner as follows:

- Prior to the close of escrow upon the sale of the residence, building, or property, or transfer of ownership or interest in the parcel, the facility, or the business, or
- Within 30 days of standard notification by the District, or

- Immediately if it is determined by the District Engineer that testing and repair are necessary to protect public health and the integrity of the sanitary sewer system.

In the event that repairs would be required during periods when such work would be impractical due to weather conditions, the District Engineer may defer such requirement upon posting of a performance bond with the District. The posting of the performance bond is intended to assure funds are available to repair and replace the sanitary sewer facilities in question when weather conditions permit. The amount of the performance bond shall be based on the lineal footage of the building lateral, the number of cleanouts and other related appurtenances to be installed, as well as the removal and replacement of existing physical obstacles and structures affected by the test.

In place of a performance bond, the owner may choose to hold an equal amount of funds in an escrow account, if the property or business is being sold or transferred. Funds held in escrow will not be released without written notification by the District to the title company holding such funds.

If a sanitary sewer facility fails any of the above described tests, the owner or their agent shall cause corrective work and retesting to be performed within 30 days from the date of the original test except as deferred by the posting of a bond as previously described. All repairs shall be approved by the District.

Repairs or replacement of 50 percent or more of a sanitary sewer pipeline or force main may be cause for total pipeline replacement as determined by the District. In the case of total pipeline replacement, the pipeline shall be installed in accordance with the requirements of new pipeline installation as outlined in Chapter 7 of the Sanitation District Code.

After a second failure of any sanitary sewer facility, the owner shall be charged an additional inspection fee for further inspections.

In the event that a sanitary sewer facility has not been tested within the required time period, the District shall initiate procedures for sewer disconnection.

Sec. 6.45 Waiver of Testing Requirements

The District Engineer shall have the power to waive testing requirements if:

(a) the sanitary sewer facility has been installed and tested within a prior 8 year period, or

(c) the sanitary sewer pipeline or force main is of such a length that testing is not practical, or

(d) the sanitary sewer facilities are part of a central private sanitary sewer system as described in Shared Use Facilities, Section 6.46, and the District has an established written agreement concerning specific testing requirements.

Nothing herein shall constitute a warrant by the District of the soundness or ability of the sanitary sewer facility to accomplish its purpose or remain in compliance with the District Code.

Sec. 6.46 Shared Use Facility

The District may choose to allow the owner or their agent of a Shared-Use Facility (common interest subdivisions, commercial shopping centers, mini malls, apartment complexes, condominium complexes, schools, office buildings, and hospitals, etc.) one of the following option agreements for the maintenance and testing of sanitary sewer facilities. The use of a Shared-Use Facility agreement for testing purposes is allowed by the District on a case-by-case basis. Qualification for use of such agreement is determined solely by the District and is based on the size, layout, and complexity of the sanitary sewer facilities serving the Shared-Use Facility. Any agreement must be in writing and acceptable to the District and the owner or their agent of the Shared-Use Facility.

The owner or their agent of the Shared agrees to complete required testing, repair or replacement of all the sanitary sewer facilities servicing the Shared Use Facility upon notification by the District that testing is required. Under this option, sales, leases, or changes in tenant/ownership of individual units or suites are allowed to proceed prior to testing and without approval from the District. After 8 years from the latest test date, all the sanitary sewer facilities servicing the Shared Use Facility shall be retested when any of the conditions outlined in Section 6.42 occur.

SECTION III:

This Ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and it shall become operative on the _____ day of _____, 2006 and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the Directors voting for and against same in the _____, a newspaper of general circulation printed and published in the County of Nevada. Only Section II shall be codified.

PASSED AND ADOPTED by the Board of Directors of the Nevada
County Sanitation District No. 1 at a _____ meeting of
said Board, held on the _____ day of _____, 2006
by the following vote of said Board:

Ayes: Directors

Noes:

Absent:

Abstain:

Chairman, Board of Directors

ATTEST:
CATHY R. THOMPSON
Clerk of the Board of Directors

By: _____